

KAYE SCHOLER LLP

EX PARTE OR LATE FILED

The McPherson Building
901 Fifteenth Street, N.W.
Washington, D.C. 20005-2327
202 682-3500
Fax 202 682-3580
www.kayescholer.com

September 20, 2002

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street S.W.
Washington, D.C. 20554
ATTN: David Brown

ORIGINAL

RECEIVED

SEP 20 2002

Re: Docket No. MB02-235
Ex Parte Presentations, DA 02-2082

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Dortch:

During the week of September 16, 2002, Spanish Broadcasting System, Inc., made certain ex parte comments to the Commission and its staff pursuant to the Commission's Public Notice in the above-referenced docket, released August 26, 2002.

The presentation consisted of reasons why Spanish Broadcasting System, Inc. believes that the application seeking consent to the transfer of control of Hispanic Broadcasting Corporation licenses and authorizations to Univision Communications, Inc. would not comport with the public interest. In particular, the presentation addressed the way in which Clear Channel Communications had misrepresented facts to the Commission and conspired to control United States Hispanic radio in violation of the Commission's ownership limits and the anti-trust laws.

The Commission has informally notified counsel that it considered bound materials offered in conjunction with the oral presentations to be written ex parte presentations. However, the subject binder contains certain material that is proprietary and which is directly related to pending litigation in the United States District Court, Southern District of Florida (Case No. 02-21755/civ-seitz/bandstra). Accordingly, it is the intention of Spanish Broadcasting System, Inc. to file a request for confidentiality within the next few working days.

Should any questions arise with regard to this matter, kindly communicate directly with this office.

Respectfully submitted,

No. of Copies rec'd 072
List ABCDE

KAYE SCHOLER LLP

By: 

Bruce A. Eisen

cc: Qualex International/Rm CY-B402